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Letter dated 17 January 2012 from the Secretary-General addressed to the President of the Security Council

It will be recalled that during the Security Council luncheon that took place on 23 November 2011, I stated my intention to dispatch a mission to the Sahel region to assess the scope of the threat of the Libyan crisis in the region and the national, regional and wider international capacities to respond to those challenges. I also advised that when I received the report of the mission, I would arrange to present it to the Council. In this regard, I have the honour to transmit the report that the mission submitted to me upon completion of its work.

I should be grateful if you would bring the present letter and the attached report to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

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Please recycle

Report of the assessment mission on the impact of the Libyan crisis on the Sahel region

7 to 23 December 2011

I. Introduction

1. Libya is located in the north-eastern part of the African continent and is considered both an Arab and an African country. Through the years, and as a result of its oil wealth and infrastructure development and the deliberate policies of Libya's late leader, Muammar al-Qadhafi, Libya became a magnet for many impoverished sub-Saharan Africans who fled their countries either as a result of conflict or difficult living conditions and migrated to Libya seeking "greener pastures". Others were absorbed into the Libyan army as regular officers and, reportedly, as mercenaries, and were allegedly given Libyan citizenship. It is reported that some of those individuals were used by the security apparatus of the regime to brutally and violently suppress the population during the crisis and were thus much hated by the population.

2. The crisis in Libya started out with peaceful demonstrations on 15 February 2011 but quickly turned into an internal conflict after street protests were violently suppressed by the Government. The international community, including the United Nations, the African Union, the European Union and the League of Arab States launched several diplomatic initiatives in a bid to bring the crisis to a quick end. Those efforts were unsuccessful in preventing an escalation of the crisis, bringing Libya to the verge of a major humanitarian catastrophe, especially in the eastern parts of the country.

3. Against this backdrop, the Security Council adopted resolutions 1970 (2011) and 1973 (2011) which, inter alia, authorized the use of "all necessary measures" to protect the civilian population. Following months of intense clashes, the regime of Muammar al-Qadhafi came to a violent end with his killing in Sirte on 20 October 2011.

4. While the impact of the crisis reverberated across the world, such neighbouring countries as Algeria, Chad, Egypt, Mali, Mauritania, the Niger and Tunisia bore the brunt of the challenges that emerged as a result of the crisis. In a relatively short period of time, the Governments of these countries, especially those in the Sahel region, had to contend with the influx of hundreds of thousands of traumatized and impoverished returnees as well as the inflow of unspecified and unquantifiable numbers of arms and ammunition from the Libyan arsenal. Although the volume and the impact of the returnee population differs from one country to the other, the influx clearly has the potential to further exacerbate an already precarious and tenuous situation. In addition, these countries are directly threatened by an impending food security and nutrition crisis that could further exacerbate and negatively affect the political, social and economic situation in the region.

II. Context

5. It should be recalled that, at the peak of the Libyan crisis, the Office of the High Commissioner for Human Rights (OHCHR), the Special Representative of the Secretary-General for Libya, the African Union, human rights organizations and others raised concerns about the welfare and treatment of foreigners, especially sub-Saharan African migrant workers in Libya. It should also be recalled that, throughout the crisis, the Security Council and the African Union had diverging views on how to resolve the conflict.

6. The Secretary-General's decision to deploy the first assessment mission to the region, with the participation of the African Union, was intended to convey the message that solidarity should be extended to those suffering the negative consequences of the Libyan crisis; and to send a signal to the region that the United Nations, the African Union and the Economic Community of West African States (ECOWAS) stand together with the affected populations in the Sahel and that, despite past differences, the nature and the complexity of the challenges before the Sahel region demand the cooperative efforts of all partners. These messages resonated well in the region, as all the leaders welcomed the mission and heralded it as a new dawn and hope for a more collaborative and regional approach to tackling the problems facing the region.

III. Mandate

7. The mission was mandated to collect information on (a) the influx of unemployed returnees, including migrant workers, former combatants from Libya and armed Tuareg and Toubou elements into these countries, as well as the impact that their return is having on the socio-economic and political stability in the host communities; (b) the inflow of weapons into the region and the proliferation of small arms and light weapons, surface-to-air missiles and explosives; (c) the nature and the extent of criminal and terrorist activities in these countries and ongoing regional initiatives to address them; (d) the impact on the security sector; (e) the national operational capacity of the security sector; (f) judicial reform; (g) additional efforts needed to address the root causes of recurrent food insecurity and malnutrition, as well as other humanitarian issues; (h) youth unemployment; and (i) disaster risk evaluation. The mission was also mandated to assess national capacities in those areas and to recommend country-specific and regional immediate and long-term measures that the United Nations and the African Union could undertake to support ongoing national, subregional and regional efforts and efforts of the wider international community in addressing those challenges in an integrated and comprehensive manner.

IV. Composition

8. The United Nations inter-agency assessment mission to the Sahel region was deployed under the overall guidance of the Special Representative of the Secretary-General for West Africa, Saïd Djinnit. It was led by Sam Bassey Ibok, Deputy Director, Africa II Division, Department of Political Affairs of the United Nations Secretariat, who was assisted by the African Union representative in N'Djamena,

Ambassador Ki-Doulaye Corentin. The mission comprised representatives of the Department of Political Affairs, the Counter-Terrorism Implementation Task Force Office, the Counter-Terrorism Committee Executive Directorate, the Department of Peacekeeping Operations, the Office for the Coordination of Humanitarian Affairs, the Peacebuilding Support Office, the United Nations Development Programme (UNDP), the United Nations Office on Drugs and Crime (UNODC), the United Nations Support Mission in Libya (UNSMIL), the United Nations Office for West Africa (UNOWA), the International Organization for Migration (IOM) and the African Union's African Centre for the Study and Research on Terrorism.

9. A full list of all the participants appears in annex I to the present report. Regrettably, the original decision to have representatives of ECOWAS participate in the mission did not materialize, largely owing to logistical scheduling difficulties. However, the mission benefited from an extensive session held under the leadership of ECOWAS in Abuja.

V. Organization of work

10. The mission conducted its work as a group most of the time. Given the limited time available to the team and the logistical challenges, consultations were essentially limited to the capitals of the five countries visited.

11. Prior to travelling to the region, mission participants benefited from an extensive briefing on developments in the Sahel by Special Representative Djinnit. In each of the capitals visited, the mission members and representatives of the United Nations country teams (except in Abuja) met with a broad range of national political and military leaders, including the President of Mali, Prime Ministers, ministers, parliamentarians and civil society groups, and consulted with thematic and sectoral inter-ministerial technical working groups. In addition, the mission members participated in a two-day meeting of civil society organizations, parliamentarians and Government representatives in Bamako, organized by the Parti pour la renaissance nationale on 10 and 11 December 2011, to discuss the impact of the Libyan crisis on the Sahelo-Sahara regions. Representatives from Algeria, Burkina Faso, Chad, Mauritania, the Niger and Senegal participated in the discussions, which focused on regional concerns regarding all aspects of the crisis in the Sahel.

12. At the end of the visits, the mission representatives debriefed Special Representative Djinnit and Special Representative Abou Moussa of the United Nations Office for Central Africa (UNOCA). The mission's itinerary and list of interlocutors are set out in annex II to the present report.

VI. Impact of the Libyan crisis on the political, security, humanitarian and development situation in the affected countries

13. Although Libya's relations with its neighbours have not always been peaceful, during the 1990s the Qadhafi regime invested considerable amounts of money in the Sahel region. Libya became one of Chad's most important economic partners and provided substantial direct support to the economies of Mali and the Niger, which

partially contributed to the welfare of the region. Also, the strong Libyan economy attracted workers from the subregion, mainly from Chad, Mali and the Niger, and to a lesser extent, Mauritania and Nigeria.

14. An overview of the impact of the Libyan crisis on the Sahel region in 2011 revealed that the extent and the degree of the impact differed depending on the geographic location and on political and economic agreements with the Qadhafi regime. It also revealed that the response of the United Nations system and its partners varied depending on the number of returnees, its capacity on the ground and ongoing programmatic interventions in the areas affected by the crisis. However, it should be noted that many of the challenges facing the Sahel region pre-dated the Libyan conflict.

15. While the events in Libya have affected countries in the region differently, some factors remain uniform and consistent across the region. All of the countries sharing a border with Libya have seen an influx of returnees that has strained existing social structures. Also, some countries that do not share a border with Libya, particularly Mali and Mauritania, have registered influxes of returnees. Although the majority of the returnees are predominantly male, women and children living in the host communities are especially vulnerable but often overlooked. Women face many constraints in securing employment, accessing food or making a living from agricultural activities.

16. The crisis has also negatively affected these countries from a humanitarian perspective, particularly in the light of the looming food security and nutrition crisis. The compounded effects of poverty, food insecurity and malnutrition, the prevalence of such natural disasters as droughts and floods, demographic growth, epidemics (malaria, cholera, meningitis, measles and polio) and violent conflict, coupled with limited access to basic social services and weak State institutions, have already exacerbated the vulnerability of communities in the Sahel and increased dependence on humanitarian assistance. The chronic cycles of food and nutrition crises have weakened household resilience and coping mechanisms. Owing to the scarcity of rainfall mainly across the Sahel strip, the 2012 harvest is highly likely to be worse than in previous years. This will aggravate the prevailing food insecurity and malnutrition levels. Households will thus have to cope with the burden of increasing food insecurity and a decrease in remittances as a source of income.

17. Even in the absence of a declared food security and nutrition crisis, humanitarian needs in the region are enormous. According to the United Nations Children's Fund (UNICEF), approximately 2.3 million children under the age of five die every year in West and Central Africa. More than one third of these deaths are caused by malnutrition. In 2010, nearly 10 million people faced a serious food crisis in the Sahel and 859,000 children under the age of 5 required treatment for severe acute malnutrition. In response, the regional inter-agency standing committee in Dakar developed a regional strategy that aims to reinforce the link between humanitarian assistance, recovery and long-term development and thereby break the cycle of recurrent crises and build sustainable solutions for affected populations.

A. Humanitarian and development concerns

Impact on returnees

18. As at 15 December 2011, IOM registered 209,030 returnees from Libya, including 95,760 in the Niger, 82,433 in Chad, 11,230 in Mali and 780 in Mauritania. However, these figures do not include returnees who crossed the borders without the assistance of IOM. According to Government estimates, the total number of returnees, including unregistered cases, is approximately 420,000, 200,000 of which are in the Niger, 150,000 in Chad, 30,000 in Mali and 40,000 in Mauritania.

19. Independent profiling exercises conducted by IOM in Chad, Mali and the Niger indicated that more than 95 per cent of the returnees from Libya were male, the majority of whom were between the ages of 20 and 40 years, with very low levels of education. They provided low-skilled manual labour in the agricultural, construction, oil and service sectors.

20. It should be noted that prior to the conflict, a significant number of the returnees had been residing in Libya for over 10 years, while some were born and raised there and had never been to their home countries. Most of the returnees lost their savings and possessions and left Libya under extremely difficult circumstances. In some cases, they were victims of extortion and human rights violations during their journey. In addition to psychosocial trauma, feelings of shame and embarrassment relating to loss of their ability to earn and provide for their families further impeded their reintegration and socio-economic stabilization.

Impact on the host communities

21. The majority of the returnees originate from the most impoverished and underdeveloped communities in the region. Their return has placed an additional strain on impoverished host communities that face such constant challenges as frequent crop and agricultural failures, food insecurity, malnutrition, lack of economic opportunities, insufficient health infrastructure and educational services, and social exclusion. In some regions, host communities face the risk of conflict, the prevalence of criminal acts and violence.

22. In the past, labour migration to Libya was one of the main coping strategies of the host communities. The remittances that these returnees used to send back home contributed greatly to the development of the communities and constituted a means of subsistence at moments of crisis. IOM estimates that, on average, each returnee supported over seven individuals in their home country. The loss of remittances has been particularly hard-hitting in the light of the looming food security and nutrition crisis. Meanwhile, their return represents an additional burden to the host families, particularly in countries such as Chad, where the host communities are already sharing resources with refugees and/or internally displaced persons.

Impact on humanitarian access

23. The Sahelo-Saharan region stretches over 8,000,000 km^2, representng one quarter of the African continent. This vast territory represents a significant environmental and geographical challenge in terms of humanitarian access.

Furthermore, the nomadic lifestyle of its inhabitants requires a tailored response for humanitarian action.

24. The deteriorating security situation in the Sahel has negatively impacted the capacity of the United Nations and its humanitarian partners to access the affected populations and carry out their operations. As a result, they have suspended their immunization, nutrition and other support programmes for the most vulnerable communities. While the authorities provide armed escorts for humanitarian operations in Mali and the Niger, the United Nations Humanitarian Air Service is heavily relied on to access communities in Chad and the Niger. The mission was informed that funding for the United Nations Humanitarian Air Service operations is running out, which will jeopardize planned humanitarian operations. The mission was also told that in some areas, the humanitarian vacuum is being filled by Al-Qaida in the Islamic Maghreb and/or criminal elements who are reportedly providing services and humanitarian assistance in remote areas where State presence is reduced or non-existent. This situation may enable Al-Qaida in the Islamic Maghreb to develop recruitment and local support networks for gathering information, supplying arms and ammunition, and other logistics.

Impact on the local economy and budget/fiscal implications

25. The Libyan crisis has had a negative impact on the tourism industry in the region. The fear of abduction and other security concerns have kept tourists from visiting certain countries. This situation has negatively affected the local economies, particularly small enterprises. The suspension of investment in countries such as Mali has caused additional unemployment. Furthermore, the crisis has led to an increase in the prices of basic commodities as a result of high transportation costs of goods that had to be transported from more distant ports.

26. In the Niger, defence spending has increased by 65 per cent, while the budget for social services (education, health, etc.) has been significantly reduced. In Mauritania, the mission was informed that most of the returnees had been reintegrated into their families of origin or absorbed through social solidarity. Although groups of returnees organized frequent protests (demanding jobs, more assistance) in the first few months of their return, the tension appears to have subsided as a result of the Government's promises regarding reintegration.

Disaster risks and climate change

27. The countries in the Sahel region face endemic fragility owing to their susceptibility to multiple political, socio-economic and natural hazard vulnerabilities. Lately, the processes associated with climate variability and climate change (inducing short- to long-term impacts) have increased the frequency, the magnitude and the spread of natural disasters, especially droughts and floods, with more pronounced impacts. In addition to overexploitation of natural resources by humans, models suggest that climate change is triggering drought cycles, which leads to food insecurity and, consequently, social instability.

National responses

28. With respect to the returnees, most of the humanitarian focus has been on the provision of safe, dignified evacuation and transport assistance, including temporary shelter, food and health care. The Governments in the region, in cooperation with

IOM and other humanitarian partners, have taken adequate measures to facilitate the return of their citizens and have cooperated in protecting and assisting third country nationals passing through their territory. Some of the Governments and international organizations are in the process of planning or implementing reinsertion and reintegration programmes aimed at facilitating the early stages of integration of the returnees. However, the need for more comprehensive planning, resourcing and action was highlighted in various meetings of the mission.

29. With regard to the food security and nutrition crisis, the Governments of Chad, Mali, Mauritania and the Niger have already declared a national crisis and have appealed for international assistance to respond to the worsening situation. At the same time, the Governments have developed response plans and have begun to implement related activities.

Regional responses

30. In March 2011, ECOWAS deployed a fact-finding mission to Egypt and Tunisia to evaluate the situation of West African citizens who had fled the crisis in Libya. Subsequently, ECOWAS developed a project, yet to be implemented, for a total cost of $4 million to assist migrants from the region to return to their homes. ECOWAS is also in the process of adopting its new humanitarian policy and has developed a related humanitarian action plan, which it intends to adopt in March 2012. This should allow regional organizations to assist Member States in their efforts to respond to food insecurity and malnutrition and to mitigate the impact of the Libyan crisis.

Recommendations

31. Following are recommendations for immediate and long-term action.

Immediate

(a) National level

- The international community should continue to support the efforts of the Governments in the region and IOM to ensure the safe and dignified return of migrants, facilitate the immediate reinsertion of the returnees and assist affected host communities;
- The international community, including ECOWAS, should enhance its support to humanitarian partners in strengthening preparedness in anticipation of the deteriorating food security and nutrition crisis. It is imperative that adequate humanitarian capacity and resources be available to support a large-scale response within the framework of the regional strategy on preparedness for a food crisis in the Sahel and affected neighbouring countries, developed by the regional inter-agency standing committee for coordination of humanitarian assistance based in Dakar;
- The United Nations and associated security systems in the region should be strengthened. Moreover, Governments need to facilitate continued access for humanitarian actors in the affected areas. Strengthened engagement with donors is also required to ensure sustained and extended support for United Nations Humanitarian Air Service flights, which remain the only means of

mitigating access challenges in most of the affected countries. Based on regional assessments, flights of the Service should be extended in the region to ensure that humanitarian assistance reaches the most vulnerable communities;

- The United Nations system, development partners and relevant international organizations should support the multisectoral reintegration initiatives of Governments. Their strategies should include a strong focus on conflict prevention, social cohesion and protection, as well as livelihood support for returnees from Libya and host families, beyond traditional agropastoral and income-generating activities. Assistance should also target the competencies of the non-agropastoralist returnees. Existing assistance, including protection activities, should be complemented by conflict prevention initiatives that focus on sources of tension between host communities and migrants at transit centres and arrival centres and in returnee communities. Crisis prevention and recovery interventions targeting the communities of origin of the returnees will be instrumental in the short to medium term. It is also essential to promote and strengthen the role of women in community development;

- A fast and effective way to contribute to economic recovery and youth employment in the Sahel region is to focus on employment-intensive infrastructure programmes that integrate conflict-sensitive development and peacebuilding. These programmes should take into account the specific profile of the returnees and the skills they acquired during their stay in Libya;

(b) Regional level

- The creation of a subregional platform that addresses the security, transborder criminal, humanitarian, socio-economic and development issues should be envisaged. Inter-State dialogue to settle the Tuareg situation and support for transborder reconciliation initiatives should be fostered;

(c) International level

- Advocate for the protection of the human rights of migrants in Libya, including the right to physical security, well-being, work, access to justice and personal property.

Long term

- Ensure a regional approach in addressing the root causes of recurrent food insecurity and malnutrition in the Sahel that effectively links humanitarian and development initiatives with a view to ensuring sustainable solutions. Livelihood analysis should be undertaken and attention should be focused on stabilization and recovery dividends;

- Strengthen the institutional, policy and governance landscape of countries in the region to ensure that their development plans, policies and programmes factor in the impact of climate change in order to promote sustainable development; undertake climate/disaster risk assessments to develop country and regional risk profiles for both the short term and the long term and formulate regional and comprehensive multi-agency risk reduction with the active and effective involvement of women;

- Programmes should increasingly focus on the peace, security and development nexus, with a view to strengthening democracy, promoting peace and fostering inclusive economic growth and sustainable development. Over the longer term, conflict prevention and social cohesion interventions should also address community security and access to justice, especially given the weak rule of law structures in areas of return;

- The African Union, Governments in the region and relevant international organizations should facilitate the establishment of labour migration mechanisms between countries within and outside the region to promote temporary migration, development and resettlement programmes. This effort should be based on a voluntary principle and should aim at ensuring the continued protection of people who choose this option.

B. Security concerns

Proliferation of arms and weapons

32. The Libyan crisis further exacerbated an already precarious security situation in the Sahel region. The Governments of the countries visited indicated that, in spite of efforts to control their borders, large quantities of weapons and ammunition from Libyan stockpiles were smuggled into the Sahel region. According to national officials and international experts, these included rocket-propelled grenades, machine guns with anti-aircraft visors, automatic rifles, ammunition, grenades, explosives (Semtex), and light anti-aircraft artillery (light calibre bi-tubes) mounted on vehicles. They indicated the possibility of more advanced weapons, such as surface-to-air-missiles and man-portable air defence systems, being transferred into the region, but did not provide evidence of their existence or recovery.

33. Certain authorities indicated that some of these weapons had been smuggled into the Sahel by returnees, in particular former fighters who had been either members of the Libyan regular army or mercenaries during the conflict. Some of the weapons may be hidden in the desert and could be sold to terrorist groups like Al-Qaida in the Islamic Maghreb, Boko Haram or other criminal organizations. They also indicated an increase in arms trade in some West African countries.

34. Officials in some of the countries visited, in particular Chad, Mauritania and the Niger, stated that they had achieved relative success in limiting the inflow of weapons into their territories as a result of stringent security measures implemented since the beginning of the Libyan crisis, including through the deployment of additional troops in strategic locations along their borders. For example, during clashes with some returning fighters, arms traffickers and Al-Qaida in the Islamic Maghreb terrorists, the army and security forces of the Niger managed to seize weapons, ammunition and explosives (Semtex) suspected to have originated from Libyan stockpiles.

35. In the case of Mali, Government representatives informed the mission that they were engaging in dialogue with armed returnees, mainly Malian Tuareg, to encourage them to surrender their weapons voluntarily.

36. All national and international interlocutors stressed the need to develop better coordinated, regional approaches to address the illegal transfer of weapons across

borders and prevent them from being used to instigate armed violence in the Sahel or bolster old rebellions in the Niger and Mali.

Terrorist threats

37. Recently there has been an increase in terrorist and criminal activities in the Sahel region. These have included abductions of Westerners for ransom and armed clashes with security forces. The potential recruitment by terrorist or criminal groups of unemployed youth and returnees in particular and the growing risk of radicalization are sources of growing concern.

38. Since 2003, 53 persons have been taken hostage by terrorist groups in the Sahel, such as the former Groupe salafiste pour la prédication et le combat and now Al-Qaida in the Islamic Maghreb. The latter has traditionally operated mostly in the northern Sahelian areas, but lately it has expanded its operations to other parts of the region, as illustrated by the kidnapping of two French citizens in Niamey in early 2011 and the recent kidnappings in the Hombori and Timbuktu regions in Mali. Some officials informed the mission representatives that there may be a certain level of cooperation in some areas between drug traffickers and members of Al-Qaida in the Islamic Maghreb, particularly with regard to illegal taxation in certain parts of Mali.

39. Notwithstanding the apparent collaboration among the various groups, officials highlighted the tension between Al-Qaida in the Islamic Maghreb and some Tuareg groups in certain areas. They referred to the announcement made by the spokesperson for the National Movement for the Liberation of the Azaouad on 19 December 2011, in which he indicated his group's intention to expel Al-Qaida in the Islamic Maghreb members from its territory. According to the spokesperson, any association with Al-Qaida in the Islamic Maghreb would tarnish his group's reputation and impede the development of its territory. He stated his group's readiness to fight Al-Qaida in the Islamic Maghreb if it were provided political and financial support.

40. Recently there has been a proliferation of terrorist groups in the region. This included the announcement by Iyad Ag Ghali, a leader of the 1991 Tuareg rebellion, of the establishment of the jihadist movement Ansar Eddin on 10 December and, on 12 December, of the establishment of the new jihadist group Mouvement unicité et jihad en Afrique de l'Ouest. The latter claimed responsibility for the kidnapping of three European aid workers in a Sahraoui refugee camp in Tindouf, Algeria, in October 2011. All national and international interlocutors stressed the need for a holistic and regional approach to combat terrorism in the face of the extreme mobility of Al-Qaida in the Islamic Maghreb across the region.

41. During a convoy interception operation in the Niger, important quantities of Semtex explosives (645 kg) and 445 detonators were seized, and the authorities of the Niger alleged that the explosives were meant for Al-Qaida in the Islamic Maghreb camps in northern Mali. This seizure may indicate that terrorist groups have been acquiring arms, weapons and explosives from Libyan military stockpiles.

42. The mission representatives were informed that Boko Haram, which claimed responsibility for the terrorist attack, inter alia, against United Nations House in Abuja on 26 August 2011, was also mentioned as a threat to the region. Its presence was mentioned as a source of concern by most countries in the region. In the Niger,

for example, the radicalization of youth was a particular concern in the south, where interlocutors said that Boko Haram was already active in spreading its ideology and propaganda and, in some cases, had succeeded in closing down public schools. The mission representatives were also informed that Boko Haram had established links with Al-Qaida in the Islamic Maghreb and that some of its members from Nigeria and Chad had received training in Al-Qaida in the Islamic Maghreb camps in Mali during the summer of 2011. Although Boko Haram has concentrated its terrorist acts inside Nigeria, seven of its members were arrested while transiting through the Niger to Mali, in possession of documentation on manufacturing of explosives, propaganda leaflets and names and contact details of members of Al-Qaida in the Islamic Maghreb they were allegedly planning to meet. Whereas Nigerian authorities viewed the group as a national threat without any links to Al-Qaida in the Islamic Maghreb, it has become a growing source of concern for the countries of the region.

Transnational organized crime, including illicit drug trafficking

43. The Sahara-Sahel strip has long been an area where illicit trafficking has thrived, with Mali, Mauritania and the Niger at the centre of its major routes. The recent appearance of drugs among the items smuggled and trafficked has become a reason for increased concern, in view of its destabilizing effects on the region. The increased flow of weapons in the region is also believed to further fuel the activities of organized crime and terrorist groups. According to some interlocutors in Mali, crimes such as car theft and armed attacks have increased in the northern part of the country as a consequence of the availability of arms.

Border management and cooperation

44. The level of protection and control of the borders varies widely in the region. The mission was informed by Chadian and Mauritanian authorities that their borders had been reinforced even before the beginning of the Libyan crisis and that special military units were dispatched to track the movements of suspect persons and groups. In Mali and the Niger, the authorities appealed to the international community for assistance in protecting and securing their borders. Many officials stated that they did not possess the means to trace weapons in circulation, whether destined for their country or in transit. They expressed concern that important quantities of weapons could be hidden in their territory, and requested assistance for their identification and collection. They also expressed concern at the lack of protection of their borders by the Libyan authorities.

45. Some border areas, particularly between Chad and Libya, were laden with mines, in particular the Tibesti area in Chad, and many of their tracks are not well known, which represents a substantial danger. The Government of Chad has requested assistance for their removal.

46. While issues relating to border security are not specifically integrated into national strategies, the mission was informed that the border authorities of most countries lacked human capacity and modern logistical capabilities. Appropriate infrastructures, such as detection equipment and scanners, do not exist, and intelligence techniques for combating fraud are not used. The customs administrations of the region are not equipped with national databases of offences and seizures. In that regard, the mission was informed that a large number of

returnees came without proper identification. There are also difficulties with the control of the massive and frequent movement of cross-border workers, who often do not possess identification documents.

47. Coordinated patrols with neighbouring counterparts constitute a good practice, and the participants were informed of a degree of practical cooperation in this regard. However, such initiatives are limited. The principle of "hot pursuit", which allows the security forces of a country to cross international borders in pursuit of suspected terrorists, was mentioned by several interlocutors, but its application varies and it is not always based on bilateral agreements. It also remains essential to address the sense of abandonment felt by the population closer to border areas, who often regard themselves as forgotten outcasts. The authorities requested support in establishing border posts and promoting development programmes in those regions, including for the construction of schools and medical facilities. Furthermore, State institutions, including local community policing programmes, are absent from border areas.

Police and judicial cooperation

48. During discussions with police and security services of the countries visited, participants noted the lack of national coordination and liaison mechanisms for combating transnational organized crime and terrorism. Without such mechanisms, it will be particularly challenging for the countries of the region to adequately address the impact of the Libyan crisis, including the increase of armed violence. Further, the mission visited a specialized judicial police unit in the Niger, which aims to prevent and combat terrorism and reports to the General Director of the National Police. This service is a very good example for implementing regional and international police and judicial cooperation. Similar judicial police departments are also to be established in Mali and Mauritania. Such judicial police units work under the authority of specialized counter-terrorism prosecutors and can fully cooperate at the regional and international levels, including with INTERPOL, under the mechanism of judicial cooperation and the rule of law.

49. The judicial approach to counter-terrorism is an essential element of regional and international cooperation. During its talks with officials, the mission recalled the positions of the United Nations and the African Union on the prevention and the combating of terrorism and the necessity to uphold the highest standards of respect for the principles of human rights and the rule of law. Moreover, West Africa has established two mechanisms for cooperation on policing matters: the West African Police Chiefs Committee and the ECOWAS Committee of Chiefs of Security Services. However, membership in these mechanisms is limited to ECOWAS States and it is not extended to some States of the Sahel region, including Algeria, Chad and Mauritania. Certain States have also signed bilateral agreements on police cooperation in order to fight transnational organized crime.

50. Officials from the Ministries of Justice in Mali stressed the need to strengthen regional judicial cooperation. This could be achieved through the framework of the regional judicial platform for Sahel countries, which is being developed between Burkina Faso, Mali, Mauritania and the Niger, with the support of UNODC. Since the legal framework for international cooperation on criminal matters is already in place, technical assistance should focus on capacity-building. In that regard, the mission noted that most of the problems are structural and profoundly interrelated,

and need to be addressed through a comprehensive approach, while respecting the balance between actions aimed at reinforcing security and those directed at promoting socio-economic development.

51. As the countries of the region do not extradite their nationals, the mission noted that States should ratify and incorporate the relevant international counter-terrorism instruments into their respective national laws. Moreover the principle *aut dedere aut judicare* (extradite or prosecute) should be applied, especially in relation to terrorist and other serious crimes, in accordance with the relevant international instruments, in particular Security Council resolution 1373 (2001), which requires States to ensure that all persons charged with terrorist offences are brought to justice. In that regard, some counter-terrorism and counter-transnational organized crime instruments could also serve as a basis of judicial cooperation.

Current responses and existing mechanisms

52. The countries of the Sahel region have established a number of national and regional programmes and mechanisms to address security concerns in the region.

National responses

53. In Mali, the presidency developed in 2011 an emergency programme to specifically address the situation in its northern regions. The Programme spécial pour la paix, la sécurité et le développement au nord is comprised of security and development pillars. It aims to provide concrete assistance in terms of improving infrastructure and public services in the northern impoverished and isolated areas. It also aims to establish a permanent military and security presence. The initiative is being implemented with financial support from international partners. Some concerns have been expressed, however, regarding the lack of involvement and dialogue with local communities in its implementation and management-related problems. Concerns were also expressed about the programme's emphasis on security.

54. The Ministry of Internal Security and Civilian Protection, in cooperation with UNDP, has also launched an initiative on democratic governance of security and peace, the Programme pour une gouvernance partagée de la sécurité et de la paix au Mali, which seeks to address the relationship between security, development and governance in Mali by encouraging dialogue with local communities. The initiative is being implemented as part of the national security policy, which was adopted in October 2010. Criticism has been expressed that the two programmes have not been coordinated.

55. Further, reinforcement of the dialogue and engagement between the Government of Mali and the Tuareg communities in northern Mali, as well as among different Tuareg communities, has been considered as critical to ensure effective implementation of the national programmes and effective restoration of State authority in the north.

56. Several countries in the Sahel region, including Mali and Mauritania, have developed national integrated programmes to address transnational organized crimes and combat money-laundering and the financing of terror groups. In this regard, the Government of the Niger has strengthened several institutions, such as the High Authority for Peace Consolidation, the National Commission for the Control and

Collection of Illicit Arms and the Counter-Terrorist Judicial Police Unit of the Ministry of the Interior. In addition, it established an ad hoc committee in the office of the Prime Minister.

Regional responses

57. At the regional level, the countries of the Sahel established a regional judicial platform, which institutionalized judicial cooperation in the region. The platform currently includes Burkina Faso, Mali, Mauritania and the Niger, with the possibility of other Sahel countries joining the initiative. At the subregional level, counter-terrorism efforts are being addressed through a joint strategy developed by Algeria, Mali, Mauritania and the Niger. Burkina Faso, Chad and Nigeria will be invited to attend the next meetings and could possibly join the four countries in the near future. The strategy sets out arrangements and principles of subregional cooperation for security and development at four levels: regular political consultations, military cooperation (Committee of Joint Chiefs); intelligence cooperation (Unité de fusion et liaison); and economic cooperation. Counter-terrorism actions cannot be limited to military action alone; police action is also necessary. The possibility of setting up a trans-Saharan office for regional cooperation on policing matters, within the framework of the Committee of Joint Chiefs, was mentioned by the national interlocutors of the countries visited.

58. In 2008, the African Ministers of Justice adopted, in Rabat, the Convention on Exploitation and Mutual Legal Assistance in Counter-terrorism, which has yet to be ratified. The African Union is also considering the possibility of introducing a continental-wide arrest warrant and the adoption of an African convention on mutual legal assistance and extradition.

59. ECOWAS developed the ECOWAS small arms programme to tackle small arms and light weapons proliferation across its member States. However, it was criticized and deemed ineffective and is expected to phase out by the end of 2011. Meanwhile, the ECOWAS regional plan of action to address illicit drug trafficking, organized crime and drug abuse (2008-2011) constitutes a relevant tool, but its implementation has been limited to West Africa.

60. Moreover, the African Union has adopted some instruments for the prevention and the combating of terrorism. Some of these instruments, ratified by the concerned countries, such as the Anti-Terrorism Model Law, provide a proper legal framework on which existing cooperation could be enhanced. In addition, the African Centre for the Study and Research on Terrorism provides a forum for interaction, cooperation and information exchange among Member States and the regional mechanisms. This is accomplished through its network of national and regional focal points (Continental Counter-Terrorism Early Warning System), which all countries visited by the mission belong to. It has also taken steps to provide technical assistance to Member States by developing technical expertise in a number of counter-terrorism areas, through technical training courses and seminars. Furthermore, the African Union was reportedly studying the possibility of introducing an African arrest warrant. The mission was also informed that the African Union is considering the possibility of adopting an African convention on mutual legal assistance and extradition.

61. The Détachement intégré de sécurité in Chad is a security body composed of a mix of military and police personnel, which was created initially under the United

Nations Mission in the Central African Republic and Chad in order to help ensure security in the areas of humanitarian operations deprived of State structures. This instrument is still operating through a joint UNDP/United Nations High Commissioner for Refugees programme and needs sustained donor support.

62. The international community has established the Global Counterterrorism Forum on the Sahel (Sahel working group), co-chaired by Algeria and Canada, and will develop technical assistance programmes for the countries of the region.

Recommendations

63. Following are recommendations for immediate action.

(a) National level

(i) National actors, with the support of the United Nations and the wider international community, when necessary, should:

- Establish adequate mechanisms to control and secure national borders across the Sahel zone, including the transfer of small arms and light weapons, and implement national programmes to collect and destroy illegal small arms and light weapons;
- Implement all legal and administrative measures to combat terrorism and organized crime in accordance with Security Council resolution 1373 (2001) and relevant regional, continental and international instruments; these measures should also comply with existing international human rights and refugee and humanitarian law;

(ii) The International Community should:

- Support the efforts of Governments against transnational organized crime and terrorism syndicates through capacity-building and financial assistance (bilateral or multilateral) to relevant institutions. The United Nations and the African Union should identify areas of cooperation and deploy their experts as soon as possible;

(iii) National actors, with the support of the United Nations and the wider international community, when necessary, should:

- Encourage the development of comprehensive national strategies, including the establishment of fusion centres, based on their established national focal points, with a view to facilitating exchange of information, coordination and joint operations;
- Encourage the development and the implementation of holistic national strategies to combat terrorism, including addressing the grievances of the populations and supporting the implementation of the United Nations Global Counter-terrorism Strategy (2006);

(iv) All States:

- Should ensure the protection of migrants and third country nationals residing in or passing through their territory;

(b) Regional level

(i) Regional and subregional mechanisms should:

- Encourage cooperation, implementation and strengthening of existing regional security strategies and mechanisms, including with Libyan authorities; enhance the management of the impact of the Libyan crisis by expanding regional cooperation to include all affected countries throughout the region;
- Ensure that the application of the hot pursuit principle is based on bilateral agreements;
- Encourage operational efforts to enhance the effectiveness of the fight against terrorism; strengthen border control, including capacity-building and logistical upgrades;
- Encourage the exchange of security information, in particular in relation to the seizures of weapons, through existing information exchange systems such as the African Centre for the Study and Research on Terrorism (African Union), Unité de fusion et liaison, the INTERPOL National Central Bureau, the Counter-Terrorism Committee Executive Directorate and the United Nations Panel of Experts on Libya;

(ii) The African Union Commission should:

- Continue to follow up and assist Member States in the implementation of the decisions of the African Union Council and other organs and relevant United Nations resolutions; and encourage collaborative efforts with relevant United Nations bodies and agencies, in particular the Counter-Terrorism Committee and its Executive Directorate, the Counter-Terrorism Implementation Task Force and UNODC;

(c) International level

(i) The United Nations and bilateral and multilateral partners should:

- Support efforts for inter-community and inter-religious dialogue and understanding, in accordance with the United Nations Global Counter-terrorism Strategy (2006) and more specifically Security Council resolution 1624 (2005);
- Support initiatives aimed at strengthening dialogue and increasing the resilience of local communities to resist and counter the appeal of terrorism and the recruitment of youth by terrorist and other criminal groups, including through support for youth employment and educational training;
- Continue to support and strengthen the capacity of States to protect their borders and for the removal of landmines;

(ii) The United Nations should, on an urgent basis:

- Strengthen its security capacity and presence on the ground;
- Support and strengthen the initiative of the Global Counter-terrorism Forum Sahel working group;

- Encourage the exchange of relevant information and analysis between the United Nations and the African Union, with a view to enhancing early-warning capacity;

- Encourage States to incorporate into domestic law the provisions of the relevant counter-terrorism instruments and the principle of *aut dedere aut judicare* (extradite or prosecute), especially in relation to terrorist and other serious crimes, in accordance with the relevant international instruments and in particular Security Council resolution 1373 (2001), which requires States to ensure that all persons charged with terrorist offences are brought to justice;

(iii) The United Nations and the African Union Commission:

- Should pursue efforts for resource mobilization for the socio-economic reintegration of the African migrant workers into their communities, including the organization of a pledging conference; and urge the Libyan authorities to ensure the safety and the security of the African migrant workers.

VII. Concluding observations

64. As a result of the crisis, millions of economic migrants, especially from Chad, Mali, Mauritania and the Niger and other African countries, were forced to flee Libya and return to the communities that they had left in search of better living conditions. Over night, the Governments of the region had to contend with the impact of the crisis on an already challenging humanitarian, development and security situation. This included the influx of returnees, the smuggling of weapons from the Libyan stockpiles, terrorist activities, youth unemployment, drug and human trafficking and a surge in criminality. The region also faces an impending food and nutrition crisis.

65. The leaders in the region welcomed and commended as timely the initiative of the Secretary-General to deploy the mission. The symbolism of the United Nations acting with the African Union was widely appreciated and encouraged. The mission found, particularly among the civil and political leaders in the region, a remarkable openness to engage on the challenges confronting them. Some countries have demonstrated political will at the highest level to address the situation and have committed significant resources towards that end.

66. The mission noted that there was great appreciation for the sustained multilateral efforts by the United Nations country teams in all of the countries visited. Similarly, several initiatives were undertaken by the Governments of the affected countries, as well as by the United Nations system, the African Union, the European Union, ECOWAS, IOM and other bilateral and multilateral stakeholders to address these issues. Further, there were strong calls for the United Nations to support such ongoing initiatives, and to consider practical and concrete ways of strengthening these efforts, with greater coherence and coordination at all levels. This would ensure that the fallout of the Libyan conflict would not exacerbate pre-existing tensions and thereby further degrade the security and socio-economic problems in the region.

67. The mission noted the determination of the respective Governments to address these challenges, in particular the transnational threat posed by Al-Qaida in the Islamic Maghreb, Boko Haram and other criminal groups and the proliferation of

weapons. It was clear, however, that their national and regional capacities varied and were limited overall. As such, the mission concluded that most countries could not address these threats in isolation. Although regional mechanisms had been established to address these problems, they lacked the means to adequately implement their tasks. Nevertheless, the leaders of the region stressed the need for homegrown and regional solutions to the problems with the support of the international community.

68. The mission concluded that any immediate or long-term strategy to mitigate the impact of the Libyan crisis should take into account the root causes of the problems in the region. As such, the main recommendations of the mission fall into four categories:

(a) At the national level, support capacity-building for ongoing initiatives by Governments to address the immediate crises in the Sahel region; and support for efforts of the United Nations country teams, especially in building better coherence for the implementation of humanitarian and development programmes;

(b) At the regional level, ensure that support is given to the strengthening of existing regional mechanisms, through a process of capacity-building and enhanced coordination arrangements. Issues such as the control of borders and information-sharing on cross-border activities, such as the smuggling of weapons and substances and human trafficking, should be pursued as a matter of priority;

(c) At the international level, the United Nations should spearhead a programme for the mobilization of greater international support for the Sahel region to address the challenges of human insecurity and underdevelopment. These were identified as areas where a comprehensive programme of engagement by the international community, including quick-impact projects, would help in addressing issues such as youth unemployment and short- and long-term issues pertaining to food insecurity, nutrition and other sources of vulnerability;

(d) In addition, an overarching mechanism or framework that would bring together all the affected countries together in a coordinated manner to discuss and proffer solutions was recommended. In spite of the different regional memberships (Nigeria and the Niger belong to ECOWAS, Chad is a member of ECCAS, Mauritania is not a member of ECOWAS and Algeria is in the Arab-Maghreb zone), all the countries are willing to work in a more coordinated manner. Moreover, none of the existing United Nations presences in the region, UNOWA, UNOCA and UNSMIL, have an overarching mandate that covers the vast region of the Sahel. It is, however, important that they to be part of any future initiative on the Sahel.

69. The mission would like to express its profound appreciation to all the Governments and leaders of the region, who gave of their time and provided insights into the implementation of its mandate. The members were also grateful for the support extended to all participants by Special Representative of the Secretary-General Saïd Djinnit and UNOWA colleagues, as well as United Nations resident coordinators and the respective United Nations country teams in Chad, Mali, Mauritania, the Niger and Nigeria. Their generous and collegial assistance, especially in the four Sahelian States, contributed immensely to the smooth conduct of the work of the mission. The mission participants extend their gratitude to the ECOWAS Commission.

70. Finally, the members of the inter-agency assessment mission are grateful to the Secretary-General and to the Chairperson of the African Union Commission for affording them the opportunity to participate in the mission. They strongly appeal to the leaders of the United Nations, the African Union and ECOWAS to move urgently to lead the efforts to mobilize international support for the implementation of the recommendations in this report.

Annex I

List of participants

Sam Bassey Ibok, Deputy Director, Africa II Division, Department of Political Affairs, Head of delegation

Ambassador Ki Doulaye Corentin, Head of the African Union Liaison Office in N'Djamena, Chad

Danilson Lopes da Rosa, Political Affairs Officer, Africa II Division, Department of Political Affairs

Kasper Ege, Associate Political Affairs Officer, Counter-Terrorism Implementation Task Force

Jean-Philippe Morange, Legal Officer, Counter-Terrorism Committee Executive Directorate

Eugenijus Usinskas, Border Management Expert, Department of Peacekeeping Operations, Brindisi, Italy

Ely Dieng, Senior Policy Adviser, Security Sector Reform Unit, Peacebuilding Support Office

Alfred Nabeta, Humanitarian Affairs Officer, Africa II Division, Coordination and Response Section, Office for the Coordination of Humanitarian Affairs

Rudolfo Jocondo Kazimiro, Head of Regional Office, Office for the Coordination of Humanitarian Affairs, Dakar

Max Schott, Humanitarian Affairs Officer, Office for the Coordination of Humanitarian Affairs, Regional Office, Dakar

Jahal Rabesahala de Meritens, Global Coordinator, Cluster Working Group on Early Recovery, Bureau for Crisis Prevention and Recovery, United Nations Development Programme, Geneva

Alexandre Schmidt, Regional Representative for West and Central Africa, United Nations Office on Drugs and Crime, Dakar

Damine Rey, Terrorism Prevention Expert, United Nations Office on Drugs and Crime, Dakar

Dah Khattar, Programme Coordinator, United Nations Office on Drugs and Crime, Nouakchott

Nicolas Guinard, Security Sector Reform Adviser, Head of Security Sector Reform Section, United Nations Office for West Africa, Dakar

Francesc Revuelto-Lanao, Political Affairs Officer, United Nations Support Mission in Libya

Igor Cvetkovski, Transition and Recovery Expert, Department of Operations and Emergencies, International Organization for Migration, Geneva

Lakhdar Idriss Mounir Lallali, Head of the Alert and Prevention Unit, African Centre for the Study and Research on Terrorism, Algiers

Annex II

Itinerary and list of interlocutors

Mali (8-11 December 2011)

National interlocutors

President of the Republic of Mali

Prime Minister

Minister for Foreign Affairs

Finance Minister

Budget Minister

Minister of Land and Local Administration

Minister of Internal Security and Civil Protection

International interlocutors

Representatives of Brazil, China, India, Russia, South Africa

Representatives of Belgium, Denmark, European Union, France, Luxemburg, Netherlands, Spain, Sweden

Representatives of Japan, Norway, Switzerland

Representatives of the United States of America

Representatives of Algeria, Burkina Faso, Chad, Guinea, Libya, Mauritania, the Niger, Senegal, Tunisia

United Nations country team

Food and Agriculture Organization of the United Nations (FAO), IOM, Joint United Nations Programme on HIV/AIDS (UNAIDS), UNDP, Department of Safety and Security of the United Nations Secretariat, United Nations Population Fund (UNFPA), United Nations High Commissioner for Refugees (UNHCR), UNICEF, Office for the Coordination of Humanitarian Affairs, World Food Programme (WFP), World Health Organization (WHO)

Civil society

Civil society organizations and representatives of communities in the north of Mali

Niger (12-14 December 2011)

National interlocutors

Minister of Justice

Minister of the Interior

Secretary-General of the Ministry of Planning

Under-Secretary-General of the Defence Ministry

General Director of Documentation and National Security

Deputy to the Chief of Cabinet of the Prime Minister

Representatives of technical ministries

High Authority for Peace Consolidation

National Commission for the Control and Collection of Illicit Arms

International interlocutors

Representatives of Algeria, Chad, China, France, Mali, Mauritania, the United States of America, United States Agency for International Development, European Union

Representatives of Oxfam International, International Committee of the Red Cross, Médecins Sans Frontières

United Nations country team

FAO, IOM, UNAIDS, UNDP, Department of Safety and Security of the United Nations Secretariat, UNFPA, UNHCR, UNICEF, Office for the Coordination of Humanitarian Affairs, WFP, WHO

Chad (15-17 December 2011)

National interlocutors

Prime Minister

Minister for Foreign Affairs

Minister for Human Rights

Minister of Territorial Administration

Minister of Security

Inter-Ministerial Committee

International interlocutors

Representatives of Germany, France, Russian Federation and the United States of America

United Nations country team

FAO, IOM, UNAIDS, UNDP, Department of Safety and Security of the United Nations Secretariat, UNFPA, UNHCR, UNICEF, Office for the Coordination of Humanitarian Affairs, WFP, WHO

Mauritania (18-19 December 2011)

National interlocutors

Prime Minister

Minister for Foreign Affairs

Minister of the Interior

Minister of Economy and Development

Minister and Commissioner for Human Rights

President of the Senate

President of the National Assembly

Chief of Staff of the Army

International interlocutors

Representatives of Germany, European Union, France, the Gambia, Japan, Russian Federation, Senegal, Spain, United States of America

United Nations country team

FAO, UNDP, Department of Safety and Security of the United Nations Secretariat, UNFPA, UNHCR, UNICEF, Office for the Coordination of Humanitarian Affairs, WFP, WHO

Nigeria (20 December 2011)

National interlocutors

Minister of Defence

Regional interlocutors

Commissioner for Human Development and Gender, ECOWAS

Commissioner for Political Affairs, Peace and Security, ECOWAS